

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: JOINT PETITION FOR PURCHASE :
AND SALE OF ASSETS BY THE : Docket # D-06-13
NARRAGANSETT ELECTRIC CO. :
AND THE SOUTHERN UNION CO. :

POST-HEARING MEMORANDUM OF THE
GEORGE WILEY CENTER

The George Wiley Center (WC) asks that the Division use its authority under G.L. § 39-3-25 to insure that the merger proposed in this proceeding is “consistent with the public interest.” To that end, the WC asks that the Division impose the following conditions on the merger using its authority under § 39-3-25 to enter whatever order “it may deem proper and the circumstances may require”:

- Require the merged entity not to use any deficit in payment of a bill for gas service to terminate electric service and *vice versa*.
- Require the merged entity:
 - to restore terminated gas service upon payment of a percentage of the unpaid gas bill, and
 - to restore terminated electric service upon payment of a percentage of the unpaid electric bill, and
 - to limit the percentage payment required to 10%.
- Prohibit the merged entity from requiring payment of a percentage of a combined unpaid gas and electric bill as a condition of restoration of either service.
- To the extent that the low-income policies of the gas company differ from those of the electric company, require the merged entity to adopt the policies most favorable to low-income people.
- Require the merged entity to adhere to a moratorium on all terminations during winter months.

- Require the merged entity not to terminate any household in which there is a child under age 6.
- Require the merged entity to adopt a percentage of payment plan with a three-year forgiveness provision.
- Require the merged entity immediately to develop a rate plan with a targeted discount designed to lower gas / electric burdens of low-income customers to the level paid by median income customers.
- Require payment of 20% of anticipated merger benefits into a merger public benefit fund targeted to help low-income households.
- Require a dedicated supervisory call center to respond to the emergency needs of low-income customers.

These conditions are necessary in order to insure that the merger is both beneficial and does not do affirmative public harm. National Grid (NG) bears the burden of proving both. *In re Petition of Valley Gas Co. et al.* and *Providence Gas et al.*, Dkt. ## D-00-02/03 at 59.

For the low-income public, the evidence presages harm. NG says its savings will come *inter alia* from greater efficiency and synergy, and from consolidation of functions, including billing. NG's protestations notwithstanding, these are code words for less service and more revenue-producing billing. And it is the stressed low-income public who needs not less service, but more, and who depends upon billing procedures that do not take undue advantage of their limited incomes.

While NG protests that it has made no decision concerning consolidated billing, NG admits that it is considering such consolidation. The evidence is uncontradicted that using a gas arrearage to terminate an electric arrearage and *vice versa* would not only be harmful, but even devastating to the public. The Division heard no evidence suggesting that such termination policies would be benign. Therefore, given the Division's mandate

to insure that the merger is “consistent with the public interest,” some order to address this evidence of potential harm is required.

It is not enough to say that the PUC can address these issues at some later date. The Division has a statutory mandate to insure that the merger will not harm the public. If the Division declines to address uncontradicted evidence of potential harm, it would be saying in effect to the public, “Maybe the merger will harm the public, maybe not. Let someone else decide.”

The WC submits that the Division’s mandate is not so toothless. The WC therefore asks the Division to attach appropriate conditions, such as the conditions listed *supra*, to mitigate the potential damage to the low-income public from this merger.

Respectfully submitted,
The George Wiley Center
By its attorney,

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CERTIFICATE OF SERVICE

I certify that on the 31st day of May, 2006, I caused a copy of this document to be emailed to each of the following:

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